

**RULES AND REGULATIONS
OF THE**



**BELLEVUE MUNICIPAL CEMETERY
BELLEVUE, NEBRASKA**

**REVISED AND ADOPTED BY
BELLEVUE CITY COUNCIL**

RESPONSIBILITIES

The Bellevue City Council, City Administrator, and Mayor are responsible to the citizens of the community by providing an attractive cemetery for interment of loved ones.

The purpose of the following regulations is to ensure the preservation of the rich historical character and integrity of the Bellevue Cemetery.

In recent years considerable funds and effort have gone into improving the cemetery. Completed projects include replacement of perimeter fencing, installation of lights and water outlets, new curbing and walkways, removal of damaged trees and the planting of new trees. Of particular interest is the resetting and straightening of numerous memorials that had sunken or fallen out of alignment. We hope visitors are pleased with these improvements and have a greater appreciation of the Bellevue cemetery.

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TERMS OF PURCHASE

- 1. Lots may be purchased during regular business hours at the Cemetery Office located at 206 Industrial Drive 7:00 am – 3:30 pm, Monday through Friday.**
- 2. All grave sites must be paid in full within two (2) years of the date of purchase.**
- 3. Any lot or grave site not paid for in full within two (2) years of the purchase date will be forfeited to the City of Bellevue for resale.**
- 4. Grave sites will not be opened until paid for in full, including opening and closing charges.**
- 5. Upon full payment of the purchase price of a lot, the City of Bellevue will convey a cemetery deed under its seal. Lots or fractional lots for which lot deeds have been issued by the City will not thereafter be divided except by consent of the Superintendent.**
- 6. All lots are exempt from taxation, cannot be mortgaged, and cannot be seized for any debts other than those encumbered to the City of Bellevue Cemetery.**
- 7. Markers or monuments shall not be placed on a grave site until the grave is paid for in full and the owner has received a deed from the City of Bellevue.**

OWNERSHIP RIGHTS OF INTERMENT

- 1. The terms “Lot Owner” or “Ownership” shall mean the right to use a lot, or part of a lot as purchased from the City of Bellevue for burial purposes only as prescribed by existing or subsequent regulations of the Bellevue Cemetery.**

- 2. The City of Bellevue shall have the right to assume that the lot owner acquired the lot of the interment of himself/herself or a member of the family. Unless otherwise directed in writing by the owner, his devisee or heirs, the Cemetery Superintendent will permit the interment of the family at the request of any person upon proof of eligibility for burial as follows:**
 - (a) The surviving spouse of the lot shall have the first right to interment or to direct the right of interment.**

 - (b) When there is no surviving spouse, the devisee or heirs of the owner may, by written agreement, determine who among them shall have the right of interment or direction of interment. Any such agreement shall be filed with the Cemetery Superintendent.**

 - (c) In the event the owner, his devisee or heirs, shall not have arranged for future interments, then the devisee or heirs of such owner shall have the right of interment in the order of their need.**

- 3. All burial rights in the Bellevue Cemetery occupy the same position as real estate at the death of the owner. Only such persons named in the cemetery records will be recognized**

as the owner(s) or part owner(s) of lots. In the event of the death of a lot owner, and the cemetery lot is disposed of by will, a certified copy of the will must be delivered to the Cemetery Superintendent before the City will recognize the change of ownership. If the deceased lot owner left no will, a certified copy of the proof of heirship made in the District Court must be presented.

- 4. The title to a cemetery lot invests in the owner the right to use such lot for burial purposes for any person they may choose to admit, provided such admission is free of charge and without compensation, and in accordance with the Cemetery Regulations.**
- 5. Lot owners may sell their lots or parts thereof to any third person. Transfer may be made only by surrender of the original deed to the City of Bellevue and issuance of a new deed to the new owners of lots or parts of lots so transferred. The City of Bellevue assumes no responsibility for satisfactory resale.**
- 6. The City of Bellevue may fix a charge for all transfers of ownership of lots. No transfer of ownership shall be complete or effective until all charges are paid.**
- 7. Lot owners will be sent a certified letter if a balance remains at the end of two (2) years from the date of purchase, and will have ten (10) days to contact the Cemetery Office to pay the balance in full. If this is not done, the lots will for forfeited to the City and made available for resale.**

8. **It shall be the duty of the lot owner to notify the Bellevue Cemetery Office of any change of address. Notice sent to lot owner(s) at the last address on file in the office of the Bellevue Cemetery shall be considered sufficient and proper legal notification.**

INTERMENT

1. **Interment will not be made on Sundays or locally observed holidays except by order of the local Board of Health.**
2. **All graves shall be dug by the City of Bellevue. Depth of graves shall conform with Nebraska Board of Health standards or other applicable state statutes.**
3. **Refilling of the grave and seeding will be done by the City of Bellevue after the grave has settled.**
4. **Burial will not be permitted until a burial permit has been presented to the Cemetery Caretaker. The interment of persons who have died of a contagious disease shall be in strict accordance with the rules of the Nebraska Board of Health.**
5. **Using the deed and/or cemetery plot map, the funeral director and family member will communicate with the Cemetery Superintendent to identify the appropriate grave site for the deceased. Once determined, the Superintendent will identify the correct site at the Cemetery. An additional charge may be appropriate if a change of location is subsequently made.**

6. **The City of Bellevue shall be given a twenty-four (24) hour notice or thirty-six (36) hour notice when the ground is frozen from November 14th through March 15th, for the opening and preparation of a grave.**
7. **The remains of no more than one person shall be interred in any one grave unless approved by the Cemetery Caretaker or his designee.**
8. **All full size interments with the exception of children under five years of age shall be required to be buried in a concrete box or a vault. Full size Green Burial Option interments must have a concrete dome.**
9. **All funerals, upon reaching the Cemetery grounds, shall be under the supervision of the Cemetery Caretaker.**

DISINTERMENT

1. **The City of Bellevue will require one week's notice prior to any disinterment.**
2. **The City of Bellevue Cemetery employees shall exercise due care in making a disinterment but shall assume no liability for damage to any casket, burial case, urn or contents thereof.**
3. **Please see page 25 for Disinterment fees.**
4. **If disinterment is done with the first year, the City will buy back the grave at a 10% reduction. This 10% reduction will continue through the tenth year, after which no more money will be refunded.**

LOT CARE

- 1. To prevent injury to adjoining lots and to preserve the beauty of the grounds, trees or shrubs shall not be planted, cut down, removed or trimmed without permission of the Cemetery Superintendent. Such work shall be done by Cemetery employees.**
- 2. The City of Bellevue has the right and responsibility to care for every tree, shrub or vine growing within the Cemetery, whether planted by the lot owner or otherwise. The City also has the right of removal when it considers such removal advisable. Trees will not be removed to make additional burial space.**
- 3. Planting of borders around a lot, or on each corner of a lot, is prohibited.**
- 4. Hedges, fences or enclosures of any kind will not be permitted on or around lots. Wooden boxes, wreaths, glass jars, bottles, toys, cans and other unsightly objects will not be permitted and when used may be removed by Cemetery employees without notice.**
- 5. U.S. flags will be permitted year round. They are to be cloth and not to exceed 12" x 18". Flags must be placed on a brass flag holder or a permanent marker on the headstone. When flags become torn or worn, they will be removed by Cemetery employees.**
- 6. Artificial flowers will be permitted year round only in a permanent vase attached to the headstone or a permanent vase concreted in the ground, at ground level. If they**

become worn or unsightly, they will be removed by Cemetery employees.

7. **Artificial wreaths will be permitted from December 15th through January 15th. Such decorations will be removed by Cemetery employees after January 15th.**

Appropriate wreaths and decorations are also authorized for the 15-day period surrounding National Holidays.

Easter Sunday	April 8	Independence Day	July 04
Mother's Day	May 13	Labor Day	Sept. 0
Armed Forces Day	May 19	Veteran's Day	Nov. 12
Memorial Day	May 28	Thanksgiving Day	Nov. 22
Fathers Day	June 17		

8. **The placing of chairs, glass covered boxes, iron or wooden crosses, trellises, shells, toys, metal designs and similar articles upon graves, and trees are not consistent with the proper appearance of the grounds and will not be permitted. The City of Bellevue will not be responsible for loss or damage to any portable articles left on any lot or grave.**
9. **Shepherd hooks are not permitted.**
10. **Vigil lights will be permitted, one on each grave, and must be placed near the headstone.**
11. **Concrete benches are permitted only as a headstone/bench combination as specified by the City of Bellevue.**

MARKERS AND MONUMENTS

1. **A. marker or monument shall not be placed on a grave site until the grave is paid in full and the owner has received a deed from the City of Bellevue.**
2. **The small metal marker put on the grave by the funeral director is considered temporary and will be removed and disposed of by Cemetery employees six (6) months from the date of burial or when a permanent marker is put onto place.**
3. **Lot owners shall be permitted a flat bronze or granite marker, or an upright granite monument throughout the Cemetery.**
4. **Owners of lots with flat markers installed shall be permitted to replace these with upright monuments at their expense.**
5. **Maximum size of upright monuments shall be:**

Adult Single 36" long x 20" wide base x 36" die and base overall height

Adult Double 72" long x 20" wide base x 60" die and base overall height

6. **Maximum size of flat markers shall be:**

Adult Single 36" long x 18" wide x 4" thick

Adult Double 60" long x 18" wide x 4" thick

Infant 20" long x 12" wide x 4" thick

- 7. Government flat markers placed within the Bellevue Cemetery on graves of eligible veterans will be installed by Cemetery employees and governed by veteran headstone and marker placement policy. Lot owner will be charged for materials and labor.**
- 8. Lot owners choosing government upright monuments shall contract with a private company for placement.**

CREMATIONS and NICHES

- 1. Cremation niches shall be governed by the Bellevue Cemetery regulations with the following additions:**
 - (a) There shall be cremains of only one person per niche.**
 - (b) Cremains shall be sealed in an urn prior to placing in the niche.**
 - (c) A sealed urn shall be no larger than 10" x 10" x 10" deep.**
 - (d) Niches shall be opened and closed by Cemetery employees.**
 - (e) Placing or attaching items to any part of the niche is prohibited, with the exception of Veteran's plaques.**
 - (f) Engraving of niches shall be done by the City of Bellevue.**
 - (g) The City of Bellevue will not buy back niches after disinterment.**
 - (h) Scattering of cremated remains will only be allowed in the scattering garden.**

MAINTENANCE AND RESPONSIBILITIES

- 1. The City of Bellevue shall be responsible for all grading, landscape work and improvements of any kind; all general care, planting, trimming or removing of all trees, shrubs and herbage of any kind.**
- 2. All improvements or alterations of individual property within the Cemetery grounds shall be under the direction of, or subject to, the consent, satisfaction and written approval of the Cemetery Superintendent. The Superintendent shall have the right to remove or alter such improvements or alterations at the lot owner's expense if they are made without his written consent, or if they become unsightly, or are found to cause additional maintenance expense.**
- 3. The City of Bellevue reserves the right and privilege, at any time, to resurvey, replat, alter in shape or size, or otherwise change all of any part, portion or subdivision of the unsold property hereby mapped and platted, including the right to lay out and establish roads, walks, drives, buildings or utilities.**
- 4. Persons employed by the City of Bellevue shall not receive any fee, gratuity or commission, either directly or indirectly, under penalty of immediate dismissal.**
- 5. City of Bellevue distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control from damage caused by the elements, an act of God, common enemy, thieves, vandals, malicious mischief**

makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

BELLEVUE CEMETERY

In 1856, Bellevue set aside four city blocks as a cemetery. However, the cemetery was thought to have been used earlier for unofficial burial plots. One of the earliest markers is that of Jean Allen, dated 1856 and located 70 feet northwest of the marker. Jean Allen and Ester Peters were buried within one month of each other. Other notable markers include Big Elk and fourteen of his braves. Big Elk was the last full-blooded chief of the Omaha tribe. Fenner Ferguson, the first chief justice of the Nebraska Territory, and Dr. Frank Gilder, a noted archaeologist, are also buried on the cemetery. Among the earlier markers is the grave of a pioneer child buried before 1856. A slab of rock was placed upon her grave to discourage predators.

CEMETERY

REGULATION APPENDIX

- 1. These comments are provided for greater understanding and appreciation of cemetery and memorial issues. For ease of reading, all numbers are written in their numeric form and paragraphs are numbered.**
- 2. The cemetery regulation has been thoroughly reviewed and approved by the Cemetery Superintendent, the Parks Department, Director of Public Works, the Mayor, and City Council.**
- 3. The Bellevue Cemetery was first used in 1856 with the burial of young Esther Peters. Later burials included Chief Big Elk of the Omaha Indian tribe and Fenner Ferguson, first Chief Justice of Nebraska territory. The cemetery has since expanded to over 4,000 graves of which 900 are military veterans.**
- 4. There is a small caretaker's office at the cemetery but the business office is at the Parks Department located at 206 Industrial Drive (293-3125). For the convenience of cemetery visitors and workers, an enclosed porta-potty is located on the forest side of the cemetery.**
- 5. To maintain the dignity of the cemetery and to enhance the aesthetic appearance of memorials and gravesites, a number of rules have evolved. To maintain these values it is essential that all rules are followed and equally enforced.**
- 6. The appearance of every memorial and gravesite is under**

the authority and responsibility of the Cemetery Superintendent. He is responsible for removing all signs, displays, and unauthorized items that exceed cemetery regulations. Cemetery personnel are authorized to enforce without notice the rules and restrictions of the cemetery.

- 7. The adjoining Jewell Park is haven to a large deer population that frequents the cemetery. During their daily foraging the deer will displace numerous decorations throughout the cemetery. This is frustrating to the family and requires continuous clean up by cemetery personnel.**
- 8. Do not approach foraging deer or attempt to feed them. Your presence and noise is usually enough to cause their quick return to the forest.**
- 9. Information boxes are located at the cemetery building on 13th Avenue and also at the Parks Department office at 206 Industrial Drive to provide visitors with the copies of the cemetery regulations. Veteran's Administration information is also included. It is important that all gravesite owners are familiar with the rules governing cemetery operations and maintenance.**
- 10. Veterans and their families are encouraged to become acquainted with services provided by the Sarpy County Veterans Service Office located in the Sarpy County Court House Annex in Papillion (593-2203). Their services cover a wide range of benefits from applying for veteran disability to providing veteran bronze flag holders.**
- 11. The free veteran memorials installed in the cemetery are obtained by submitting a form or fax to the Department of**

Veteran Affairs in Washington, D.C. This request is best completed by experienced personnel at the funeral chapel, memorial company, or the cemetery office.

- 12. The free Veteran's Administration flat bronze marker is 24x12x3/4 inches, weighs 18 pounds, and will be sent to the funeral chapel or cemetery. The larger free Veteran's Administration flat granite marker is 24x12x4 inches, weighing 130 pounds and is often sent to a memorial company. Each of these markers is installed on a 4- inch pre-cast concrete pad if placed on the ground. A fee is charged for installation.**
- 13. Each gravesite is authorized two flower holders. One or both may be permanently attached to the headstone or cemented into the ground at ground level.**
- 14. To secure flowers in a container, use foam, sand, dirt, or pebbles. Reduce flower exposure to the wind by shortening the length of the stems. Flag holders, and vigil lights are more secure when inserted close to the headstone base.**
- 15. The veterans bronze flag holder is held by a 22 inch shaft while the 12x18 inch U.S. flag comes attached to a 30 inch wooden shaft. These lengths may be very unstable in the wind. By driving a long screwdriver into the hard ground the flag holder shaft may then be driven 8 to 10 inches into the ground thereby creating a more stable unit to withstand the wind.**
- 16. Decorations cannot be placed on cremation niches, inserted between the niche doors, placed on top of the**

niche bank, or on the concrete floor. Flowers may be placed in the adjacent designated flower bed.

- 17. If needed, a memorial may be cleaned with soap and water or a mild cleaner to remove accumulated dirt and grass residue. Niche doors may also be cleaned in this manner.**
- 18. Continuing complaints are heard that some grave sites and memorials have a carnival appearance with numerous unauthorized items ranging from stuffed animals to colorful balloons and streamers. Such items not only exceed the aesthetic values expected in the cemetery, but are not authorized according to long standing rules. When lot owners do not cooperate by removing unauthorized items, cemetery personnel must remove such decorations.**
- 19. In their frequent policing of the cemetery, workers must determine the disposition of various items. Wilted flowers, bottles, and wind blown debris will be collected and placed in the dumpster. Unauthorized items at the grave site that may have sentimental value to the owner will be placed in a plastic bag at the grave site for retrieval by the owner. Notification will be attached to the headstone. At the end of the 30 day period, contact will be attempted based on available file information. Bags not removed in 30 days will be disposed of by cemetery personnel.**
- 20. Be cautious when walking through the cemetery. The ground can be very uneven with difficult to see depressions and small tree branches and pine cones brought down by wind and rain.**

- 21. A Memorial Day service to honor veterans is an annual organized event attracting many families and visitors. Short presentations are made by local and Offutt AFB officials.**
- 22. The Offutt AFB military honor guard frequently attends to veteran funerals throughout the year. This outstanding unit of volunteers conducts a professional ceremony in all weather conditions.**
- 23. Your help and support is greatly appreciated in policing the cemetery. Please be a good steward and help your neighbor's memorial when care is needed and by picking up items moved about by wind and deer. Participation by civic, church, and other local groups is also encouraged. Please report any vandalism to the Cemetery office (293-3125).**
- 24. While everyone may not agree with the cemetery rules and restrictions, they are the result of citizen input and development to preserve the beauty of the grounds and to avoid injury to visitors and cemetery personnel. If there is some dissatisfaction with cemetery maintenance, call 293-3125.**
- 25. If your grave site or memorial is cited as having unauthorized items and you do not agree, please provide the Cemetery Superintendent with a current photograph of the site. Based upon your photograph and visit to the cemetery the Superintendent will make a final determination.**
- 26. You are welcome to send your comments and**

recommendations to the Cemetery Superintendent, 206 Industrial Drive, Bellevue, NE 68005.

PLACEMENT OF ITEMS AT THE GRAVE SITE:

The following summary covers memorial and grave site decorations. For safety and maintenance purposes all items on the ground must be secured. Those items not authorized will be removed.

AUTHORIZED ON THE MEMORIAL ITSELF:

- 1. Permanently installed flower vases.**
- 2. Permanently installed flag holder and vigil light.**

AUTHORIZED IN THE GROUND NEXT TO THE HEADSTONE:

- 1. Permanently installed flower vase cemented into the ground.**
- 2. One veteran's flag holder with U.S. flag.**
- 3. One fireman's plaque with flag holder and flag.**
- 4. One law enforcement plaque with flag holder and flag.**
- 5. One vigil light for each grave site.**
- 6. Funeral decorations, for three weeks following burial.**

NOT AUTHORIZED ON THE MEMORIAL OR GRAVESITE:

- 1. Concrete benches of any design.**
- 2. Shepherd hooks or similar standing designs.**
- 3. In-ground plantings, potted flowers or plants.**

- 4. Uncontained wreaths and flowers lying on ground.**
- 5. Flowers or decorations placed on top of the memorial.**
- 6. Christmas or similar grave covering blankets, other than December 15th through January 15th.**
- 7. Containers of wood or cardboard, cans, bottles, or glass.**
- 8. Personal memorabilia such as toys, figurines, photographs, balloons, streamers, windmills, plaques and signs.**
- 9. Fences or enclosures of any type.**
- 10. Unsecured items stuck into the ground or cremation niches.**

REMINDERS: Deer, extreme weather, and high winds will destroy fresh flowers and unsecured artificial flowers and wreaths. Cemetery personnel are required to enforce all rules without notice or delay.

Green Burial Option Rules and Regulations

- 1. Decorations will only be allowed for the one week prior to and following Memorial Day. Flower vases and other decorations are not allowed**
- 2. Only single headstone boulders will be allowed, the boulders are 13x13x6-8 inches thick. The boulders are included in the price of the lot.**
- 3. Double size headstone markers are not allowed**
- 4. This section will be maintained in a natural state, no chemicals will be applied to the section and the area will not be mowed or trimmed.**
- 5. Plantings will only occur with the permission of the Cemetery Superintendent, all others will be removed.**
- 6. All full size burials will have a concrete dome placed over the remains.**
- 7. All caskets will be made using green materials, handmade caskets are allowed.**
- 8. Only government issued bronze niche Veteran markers are allowed to be attached to the headstone boulders. No other medallions, flag holders or markers are allowed.**
- 9. No decorations will be allowed for any holiday other than Memorial Day.**

Cemetery Fees

Grave Fees

Full size grave spaces \$749.00

Infant grave spaces \$125.00

Niche spaces \$600.00

Full size green burial space (includes marker) \$1599.00

In-ground cremation space (includes marker) \$899.00

Scattering garden (includes brass plaque) \$399.00

Disinterment Fees

Full size \$1,100.00

Infant \$555.00

Cremaains \$600.00

Open/Close Fees

Full size \$800.00

Cremaains \$450.00

Infant \$400.00

Niche \$225.00

Infant cremaains \$225.00

Other Fees

Stone Setting Permit \$10.00

Government Marker setting \$100.00

Attach VA Marker to niche door \$50.00

DATE: September 13, 2010

**BELLEVUE CEMETERY
13TH AVENUE AND FRANKLIN STREET
BELLEVUE, NEBRASKA 68005**

WHERE TO CALL FOR INFORMATION:

**To purchase cemetery spaces, get information on burials,
decorations or other cemetery issues, call:**

**OFFICE OF THE BELLEVUE CEMETERY
206 INDUSTRIAL DRIVE
BELLEVUE, NEBRASKA 68005**

(402) 293-3125

7:00 am – 3:30 pm, Monday through Friday

**The Bellevue Police Department may be contacted for after
hour emergencies at (402) 293-3100.**